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FM AMEMBASSY MANILA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6091
INFO RUEHNH/AMCONSUL NAHA IMMEDIATE 0092
RHHMUNA/CDRUSPACOM HONOLULU HI IMMEDIATE
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C O N F I D E N T I A L MANILA 001201

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E.O. 12958: DECL: 04/17/2012
TAGS: [PREL](#) [MARR](#) [KCRM](#) [CASC](#) [RP](#)
SUBJECT: MARINE CASE UPDATE 04/17/2007

REF: A. MANILA 1174
[1](#)B. MANILA 1098

Classified By: CDA Paul W. Jones, reason 1.4 (d)

[1](#)1. (C) Upon the urgent advice of Embassy medical staff, Lance Corporal Daniel J. Smith entered the Makati Medical Center on April 16. Doctors describe his condition as non-life threatening but painful, and want to keep him under observation for a second night. He likely will return to Chancery on April 18. To protect his privacy, we admitted him under an assumed name.

[1](#)2. (SBU) RSO orally notified Department of Interior and Local Government Undersecretary Marius Corpus on April 16. DILG assigned Philippine National Police personnel to provide security for Smith. III Marine Expeditionary Force personnel have accompanied Smith throughout the hospital visit. On April 17, Embassy formally notified the Department of Foreign Affairs by diplomatic note of this development, while separately Pol/C orally notified the Solicitor General.

[1](#)3. (SBU) As of COB April 17, no media stories have surfaced on Smith's hospitalization. If asked, we will confirm his hospitalization, but we hope to avoid media attention.

[1](#)4. (SBU) The Solicitor General on April 17 provided Embassy with a copy of the "Consolidated Comment" her office submitted to the Supreme Court on April 12 in response to two separate "nuisance" motions related to Smith's custody and the validity of the Visiting Forces Agreement (ref b). The Presidential Chief Legal Counsel filed a separate Comment. There is no indication yet of when the Supreme Court will rule on these motions.

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